



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Johnnie Parks
Council Member Debra Wimpee
Council Member Christi Gillespie

Tuesday, October 1, 2019

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

AMENDED AGENDA

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [19-1063](#) Acknowledgement of upcoming out-of-state travel by City Council members
- B. [19-19](#) Approval of the City Council Meeting Minutes of September 17, 2019
- C. [19-1209](#) Acceptance of Elm Place and New Orleans Advisory Committee meeting minutes of August 29, 2019
- D. [19-1237](#) Approval of and authorization to execute an Encroachment Agreement and Release of Liability between the City and Alfa Laval Incorporated for a sign to be built into city right-of-way located southwest of Lot 1, Block 1, Alfa Laval, Tulsa County, Oklahoma (Section 13, Township 18 North, Range 14 East)
- E. [19-1042](#) Approval of and authorization to execute a Professional Consultant Agreement with Meshek & Associates, LLC, for providing engineering design services for culvert improvements on West Jasper Street located 400 feet east of Aspen Avenue (Project No. SW1911) and downstream channel improvements through Indian Springs Golf Course (Project No. SW1917)

- F. [19-1041](#) Approval of and authorization to execute a Professional Services Agreement with Cowan Group Engineering, LLC, for design of Stone Ridge Towne Center Drainage Improvements Packages “B”, “C”, and “D” (Project No. SW1910)
- G. [19-1216](#) Approval of and authorization to execute a Promotional License on City Property allowing the Rotary Club of Broken Arrow to host the 2019 Cool Grilles Event
- H. [19-1219](#) Approval of and authorization to execute a Waiver of Conflict of Interest of Doerner, Saunders, Daniel & Anderson, LLP between Dennis Ray Sherwood and Mary J. Sherwood and the City of Broken Arrow involving the acquisition by the City of two parcels of real property located behind 505 West Broadway Street, Broken Arrow, Oklahoma
- I. [19-1221](#) Approval of and authorization of the purchase of a Police/Fire Command post from Farber Specialty Vehicles pursuant to the Omnia Partners purchasing Cooperative, for the Police Department
- J. [19-1222](#) Approval of and authorization of the purchase a Special Operations Team Equipment Truck from Farber Specialty Vehicles pursuant to the Omnia Partners purchasing Cooperative for the Police Department
- K. [19-1203](#) Acceptance of a Waterline Easement from Timber Wolf Excavating, LLC on Lot 6, Block 1, Timber Ridge Business Park, approximately one-third mile south of Kenosha Street (71st Street), one-half mile west of Evans Road (51st Street), shown as Exhibit A (Section 8, T18N, R15E)
- L. [19-1205](#) Approval of PT19-112, Conditional Final Plat, Timber Ridge Cottages, 8.05 acres, 1 Lot, A-1 (Agricultural) to RM (Residential Multi-Family) and PUD-276 (Planned Unit Development), one-quarter mile south of Kenosha Street (71st Street), east of 37th Street (209th East Avenue)
- M. [19-1204](#) Approval of PT19-114, Conditional Final Plat, Bentley Row, a re-subdivision of Lots 6 thru 10 Block 6, Homestead Addition and Lots 4 and 5, Block 51 Original Town of Broken Arrow, 0.56 acres, 7 Lots, R-2 (Single-Family Residential), one-eighth mile west of Elm Place (161st East Avenue), one-quarter mile north of Houston Street (81st Street)
- N. [19-1197](#) Approval of PUD-292 (Planned Unit Development) and BAZ-2034 (Rezoning), Casey’s General Store, 1.77 acres, A-1 to PUD-292/CG, located on the southeast corner of Kenosha Street (71st Street) and 37th Street (209th East Avenue)
- O. [19-1153](#) Approval of and authorization of Final Acceptance for the public improvements at The Citadel Duplexes located at 314 West Fort Worth
- P. [18-1462](#) Ratification of the Claims list dated 09/27/2019

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards

- A. [19-1220](#) Consideration, discussion, and possible approval of and authorization to execute a Proclamation declaring the Month of October of 2019 as Manufacturing Month
- B. [19-1206](#) Presentation regarding the Ronald D. Flanagan Gold Project Award for The Together Project

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)

9. General Council Business

- A. [19-1242](#) Consideration, discussion, and possible approval to reject all bids for the construction of Fire Station No. 2 Foundation & Precast Repair (Project No. 193509) and find that the best interests of the Broken Arrow City Council will be served by the rejection
- B. [19-1210](#) Consideration, discussion, and possible approval of and authorization to waive the residency requirement of the Drainage Advisory Committee to allow members of the committee residing outside the City limits, but within the fence line, to serve pursuant to Broken Arrow Code of Ordinances Chapter 2, Section 2-13
- C. [19-1238](#) Consideration, discussion, and possible appointment of Jason Featherngill to the Broken Arrow Drainage Advisory Committee
- D. [19-1247](#) Consideration, discussion, and possible approval of the proposed list of projects for the 2018 General Obligation Bond Issue, Series 2019A Sale
- E. [19-1229](#) Consideration, discussion, and possible approval and authorization to execute Resolution No. 1270, a Resolution fixing the amount of Series 2019A Bonds to mature each year, fixing the time and place the bonds are to be sold and authorizing the clerk to give notice of said sale as required by law; approving a legal services agreement with Kiser Law Firm, PLLC and a financial advisor services agreement with Municipal Finance Services, Inc. and containing other provisions with respect to the issuance of general obligation bonds

- F. [19-1230](#) Consideration, discussion, and possible approval and authorization to execute Resolution No. 1271, a Resolution providing for the issuance of General Obligation Refunding Bonds in a principal amount not to exceed Ten Million One Hundred Thousand dollars (\$10,100,000) by the City of Broken Arrow, Oklahoma, for the purpose of refunding a portion of the city's outstanding general obligation bonded indebtedness; Establishing a not to exceed true interest costs and maturity dates; Prescribing form of refunding bonds and providing for registration thereof; Providing a levy of an annual tax for payment of principal and interest on said refunding bonds; Waiving competitive bidding and designating an underwriter for the bonds and authorizing execution of a bond purchase contracts, escrow fund agreements, continuing disclosure agreements and paying agent/registrar agreements; Ratifying and confirming a legal services agreements and a financial services agreement with respect to the issuance of the bonds; approving an Official Statement and providing other details of the issue
- G. [19-1241](#) Consideration, discussion and possible approval and authorization to execute Resolution No. 1268, a Resolution authorizing the City Attorney to defend Joshua Zoller in the civil action Ellsworth vs. The City of Broken Arrow et al, Case No. 19-CV-34-TCK-FHM in the United States District Court for the Northern District of Oklahoma
- H. [19-1195](#) Consideration, discussion and possible approval and authorization to execute Resolution No. 1269, a Resolution authorizing the City Attorney to defend Rodney Garner in the civil action Ellsworth vs. The City of Broken Arrow et al, Case No. 19-CV-34-TCK-FHM in the United States District Court for the Northern District of Oklahoma
- I. [19-1249](#) Consideration, discussion and possible approval of and authorization to execute Resolution No. 1274, a Resolution of the City of Broken Arrow (CITY) declaring approximately 1.77 acres of land situated at 2200 W. Norfolk Dr., Broken Arrow, OK 74011, in the City of Broken Arrow, Tulsa County, State of Oklahoma, surplus and authorizing transfer to the Broken Arrow Economic Development Authority (BAEDA), an Oklahoma Public Trust of which the City of Broken Arrow is the sole beneficiary; and approving and authorizing the execution of certain documents necessary to accomplish the declaration of surplus and transfer of title, including a general warranty deed; and containing other provisions relating thereto

10. Preview Ordinances - NONE

11. Ordinances - NONE

12. Remarks and Inquiries by Governing Body Members

13. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

14. Executive Session

Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and other pertinent staff members discussing and conferring on matters pertaining to:

Workers' Compensation Court Case, Glen Hash v. City of Broken Arrow, Case No. CM2018-05084F, CM2018-05085J and Cm2018-05083A; to include updating the City Council, potential resolution of the pending Workers' Compensation claim, and taking appropriate action in open session, including possible authorization to settle this litigation under 25 O.S. § 307(B)(4);

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the pending claims, litigation and possible litigation in the public interest in accordance with State Statute. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this _____ day of _____, _____, at _____
a.m./p.m.

City Clerk